



General Assembly

Substitute Bill No. 6572

January Session, 2013



**AN ACT CONCERNING INTIMIDATION BASED ON BIGOTRY OR BIAS
AGAINST A HOMELESS PERSON.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53a-181i of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 For the purposes of sections 53a-181j to 53a-181l, inclusive, as
4 amended by this act:

5 (1) "Disability" means physical disability, mental disability or
6 intellectual disability;

7 (2) "Gender identity or expression" means a person's gender-related
8 identity, appearance or behavior, whether or not that gender-related
9 identity, appearance or behavior is different from that traditionally
10 associated with the person's assigned sex at birth;

11 (3) "Homeless" or "homelessness" means lacking a fixed, regular and
12 adequate nighttime residence. "Homeless" or "homelessness" does not
13 include (A) participating in a recreational activity such as camping, (B)
14 physically residing in a homeless shelter or halfway house, or (C)
15 participating in a protest;

16 [(3)] (4) "Mental disability" means one or more mental disorders, as

17 defined in the most recent edition of the American Psychiatric
18 Association's "Diagnostic and Statistical Manual of Mental Disorders";

19 [(4)] (5) "Intellectual disability" has the same meaning as provided in
20 section 1-1g; and

21 [(5)] (6) "Physical disability" means any chronic physical handicap,
22 infirmity or impairment, whether congenital or resulting from bodily
23 injury, organic processes or changes or from illness, including, but not
24 limited to, blindness, epilepsy, deafness or hearing impairment or
25 reliance on a wheelchair or other remedial appliance or device.

26 Sec. 2. Section 53a-181j of the general statutes is repealed and the
27 following is substituted in lieu thereof (*Effective October 1, 2013*):

28 (a) A person is guilty of intimidation based on bigotry or bias in the
29 first degree when such person maliciously, and with specific intent to
30 intimidate or harass another person because of the actual or perceived
31 race, religion, ethnicity, disability, sexual orientation or gender identity
32 or expression of such other person or because of such person's actual
33 knowledge that such other person is homeless, causes serious physical
34 injury to such other person or to a third person.

35 (b) Intimidation based on bigotry or bias in the first degree is a class
36 C felony.

37 Sec. 3. Section 53a-181k of the general statutes is repealed and the
38 following is substituted in lieu thereof (*Effective October 1, 2013*):

39 (a) A person is guilty of intimidation based on bigotry or bias in the
40 second degree when such person maliciously, and with specific intent
41 to intimidate or harass another person because of the actual or
42 perceived race, religion, ethnicity, disability, sexual orientation, [or]
43 gender identity or expression or homelessness of such other person,
44 does any of the following: (1) Causes physical contact with such other
45 person, (2) damages, destroys or defaces any real or personal property
46 of such other person, or (3) threatens, by word or act, to do an act

47 described in subdivision (1) or (2) of this subsection, if there is
48 reasonable cause to believe that an act described in subdivision (1) or
49 (2) of this subsection will occur.

50 (b) Intimidation based on bigotry or bias in the second degree is a
51 class D felony.

52 Sec. 4. Section 53a-181*l* of the general statutes is repealed and the
53 following is substituted in lieu thereof (*Effective October 1, 2013*):

54 (a) A person is guilty of intimidation based on bigotry or bias in the
55 third degree when such person, with specific intent to intimidate or
56 harass another person or group of persons because of the actual or
57 perceived race, religion, ethnicity, disability, sexual orientation, [or]
58 gender identity or expression or homelessness of such other person or
59 persons: (1) Damages, destroys or defaces any real or personal
60 property, or (2) threatens, by word or act, to do an act described in
61 subdivision (1) of this subsection or advocates or urges another person
62 to do an act described in subdivision (1) of this subsection, if there is
63 reasonable cause to believe that an act described in [said] subdivision
64 (1) of this subsection will occur.

65 (b) Intimidation based on bigotry or bias in the third degree is a
66 class A misdemeanor.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	53a-181i
Sec. 2	<i>October 1, 2013</i>	53a-181j
Sec. 3	<i>October 1, 2013</i>	53a-181k
Sec. 4	<i>October 1, 2013</i>	53a-181 <i>l</i>

JUD *Joint Favorable Subst.*